

(ORDER LIST: 534 U.S.)

MONDAY, DECEMBER 10, 2001

CERTIORARI -- SUMMARY DISPOSITION

01-285 THOMS, WARDEN V. ROSALES-GARCIA, MARIO

The petition for a writ of certiorari is granted.  
The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Zadvydas v. Davis*, 533 U.S. 678 (2001).

ORDERS IN PENDING CASES

01M30 A.L. v. E. H.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

00-1021 RUSH PRUDENTIAL HMO, INC. V. MORAN, DEBRA, ET AL.

00-1167 TAHOE-SIERRA PRESERVATION V. TAHOE REGIONAL PLANNING

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted.

01-301 NEWLAND, ANTHONY V. SAFFOLD, TONY EUGENE

The motion of respondent to dismiss the writ of certiorari as improvidently granted is denied.

01-593) DOLE FOOD COMPANY, ET AL. V. PATRICKSON, GERARDO D.

)  
01-594) DEAD SEA BROMINE CO., LTD. V. PATRICKSON, GERARDO D.

The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

**CERTIORARI GRANTED**

01-394 CHRISTOPHER, WARREN, ET AL. V. HARBURY, JENNIFER K.

01-417 DEVLIN, ROBERT J. V. SCARDELLETTI, ROBERT, ET AL.

The petitions for writs of certiorari are granted.

01-400 BELL, WARDEN V. CONE, GARY B.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

00-10666 HARRIS, WILLIAM J. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to the following question: Given that a finding of "brandishing", as used in 18 U.S.C. Sec. 924(c)(1)(A), results in an increased mandatory minimum sentence, must the fact of "brandishing" be alleged in the indictment and proved beyond a reasonable doubt?

**CERTIORARI DENIED**

01-226 ) ARAPAHOE AIRPORT AUTHORITY V. FAA, ET AL.

)  
01-230 ) GREENWOOD VILLAGE, CO V. FAA, ET AL.

01-238 BMW MFG. CORP. V. UNITED STATES

01-248 ULSTER HOME CARE, ET AL. V. SPITZER, ATT'Y GEN. OF NY

01-287 ADLER, EMILY, ET AL. V. DUVAL CTY. SCHOOL BD., ET AL

01-372 HANNON, JAMES T. V. DEPT. OF JUSTICE

01-387 CROMPTON CO./CIE V. UNITED STATES, ET AL.

01-391 GINN, GREGORY W., ET AL. V. UNITED STATES TRUSTEE  
01-403 VILLARREAL-ALARCON, CHELO H. V. INS  
01-404 WHITE, WILLIE, ET AL. V. METRO. LIFE INS. CO., ET AL.  
01-420 FLANIGAN, WILLIAM G., ET AL. V. GENERAL ELECTRIC CO., ET AL.  
01-421 OCEAN BULK SHIPS, INC. V. UNITED STATES  
01-516 BUCE, PATRICIA W. V. ALLIANZ LIFE INS. CO.  
01-578 WHITE, WILLIAM R., ET AL. V. SUNDSTRAND CORP., ET AL.  
01-585 INTERSTATE LITHO CORP. V. BROWN, MARC A., ET AL.  
01-586 CLARK, CECIL E. V. CLARK, LINDA K.  
01-590 D'ALESSIO, JOHN R., ET AL. V. NEW YORK STOCK EXCHANGE, INC  
01-591 CACCIOLA, THOMAS, ET UX. V. SIMS COMMUNICATIONS, INC.  
01-597 DUDA, DONALD W. V. CALIFORNIA  
01-599 LEE, JANET L. V. SUN LIFE ASSURANCE CO., ETC.  
01-601 LOCHBAUM, KENNETH, ET AL. V. ST. PAUL INSURANCE CO.  
01-602 KELLY, JUANITA, ETC., ET AL. V. HOUSTON, TX, ET AL.  
01-604 WILBURN, CURTIS V. KAISER FOUND. MEDICAL GROUP  
01-606 BEAUCLAIR, DIR., ID DOC V. GOMEZ, NOEL P., ET AL.  
01-607 DUJARDIN, FRANCK V. INT'L BANK FOR RECON. & DEV.  
01-608 SMITH, DANNY D. V. KANSAS  
01-609 SMALLWOOD, FREDERICK K. V. SMALLWOOD, KATHLEEN M.  
01-610 ALI, FATHIREE U. V. HOFBAUER, WARDEN  
01-611 BROWN, RONALD L. V. WHEAT FIRST SEC., ET AL.  
01-612 BROWN, ALAN, ET UX. V. CICHERSKI, JOSEPH, ET AL.  
01-643 HILVETY, BRIAN L. V. WORLD OF POWERSPORTS, INC.  
01-646 KRIZEK, GEORGE O., ET AL. V. UNITED STATES  
01-683 REEVES, MICHAEL V. UNITED STATES  
01-689 PARKER, RICHARD W. V. UNITED STATES  
01-5572 DOUBLE, WILLIAM P. G. V. UNITED STATES

01-6140 BARROW, RONALD V. WELLS, WARDEN  
01-6161 WESTON, RUSSELL E. V. UNITED STATES  
01-6695 ALLEN, GUY L. V. COCKRELL, DIR., TX DCJ  
01-6696 BROMLEY, RUDI L. V. HALL, WARDEN  
01-6699 OBREMSKI, RUSSELL L. V. THOMPSON, SUPT., OR  
01-6702 JOHNSON, DONALD E. V. JOHNSON, RICHARD G., ET AL.  
01-6703 MAY, GENEVA V. PIKE LAKE STATE PARK, ET AL.  
01-6705 MOORE, STEPHEN V. MARR, WARDEN, ET AL.  
01-6707 BROWN, JUDSON V. CONNECTICUT  
01-6708 TEJADA, PEDRO L. V. UNITED STATES  
01-6711 ZEPEDA, JAIME L. V. CALIFORNIA  
01-6720 SNIDER, JESSEE J. V. ROWLEY, SUPT., ET AL.  
01-6721 FRASER, J. DAVID V. DENNIS, JEANETTE, ET AL.  
01-6723 FORD, MICHAEL W. V. BOWERSOX, SUPT., S. CENTRAL  
01-6726 OWENS, DANNIE V. ALABAMA  
01-6732 WITTRICK, JOSEPH V. SNYDER, WARDEN, ET AL.  
01-6733 TOURVILLE, KERRIN V. ME DEPT. OF HUMAN SERVICES  
01-6736 THOMAS, ISIAH V. MOORE, SEC., FL DOC  
01-6737 THOMAS, EDWARD E. V. MCGINNIS, WARDEN  
01-6740 DENTON, SCOTT L. V. ARIZONA, ET AL.  
01-6741 MCKAY, EIRTIS V. PURKETT, SUPT., FARMINGTON  
01-6742 BURKLEY, ALBERT V. McGRATH, WARDEN  
01-6745 COLEMAN, JEFFERSON V. ILLINOIS  
01-6751 DAVIS, MAURICE V. CAMBRA, WARDEN  
01-6755 MURPHY, WILLIAM V. CALIFORNIA  
01-6756 CARRO, JOSE V. MASSACHUSETTS  
01-6763 ARONOVSKY, STEVE V. NGUYEN, JAY N., ET AL.

01-6766 ROBENSON, LOUIS V. FLORIDA  
01-6776 LAYTON, ANN L. V. GMC, ET AL.  
01-6778 POST, DANIEL J. V. COLORADO  
01-6779 F. K., MOTHER V. IA DIST. CT. FOR POLK CTY.  
01-6782 CARRY, JOHN M. V. COCKRELL, DIR., TX DCJ  
01-6784 DONALDSON, ANTHONY V. CAIN, WARDEN  
01-6788 ROSALES, MANUEL V. CAREY, WARDEN, ET AL.  
01-6793 PINCKNEY, MIKELL A. V. SOUTH CAROLINA  
01-6795 BECKWITH, PAUL V. FRANCHISE TAX BD. OF CA  
01-6796 ROGERS, JOSEPH V. MOORE, SEC., FL DOC  
01-6799 OSBORNE, JIMMIE V. WHITE, WARDEN  
01-6802 KRONCKE, ROBERT E. V. SALDATE, M., ET AL.  
01-6803 LANGFORD, EDWARD A. V. ELLIS, WARDEN  
01-6804 MARTIN, ROBERT V. COMMON PLEAS COURT, ETC.  
01-6810 PORTEE, DAVID B. V. HAMLETT, WARDEN  
01-6812 COURTNEY, PATRICK V. LOUISIANA  
01-6813 DELGADO, LOUIS M. V. COCKRELL, DIR., TX DCJ  
01-6828 DAVIS, WILLIE F. V. MOORE, SEC., FL DOC, ET AL.  
01-6847 SMITH, CARLTON V. SIKES, WARDEN  
01-6887 FOSTER, JOHN M. V. GEORGIA  
01-6893 FORD, LONNIE M. V. UNITED STATES  
01-6913 BYRD, ASHLEY J. V. GEORGIA  
01-6925 SIERRA, ROLANDO M. V. INS, ET AL.  
01-6953 MILLIRONS, DANIEL N. V. SMITH, WARDEN  
01-7010 DAVILA-MARRERO, DAVID V. BARNHART, COMM'R, SSA  
01-7027 CALHOUN, ROBERT V. UNITED STATES  
01-7031 WILLIAMS, STANLEY V. UNITED STATES  
01-7033 WYATT, MARCEL R. V. UNITED STATES

01-7034 DIAZ-PAULINO, SILO V. UNITED STATES

01-7035 MANUKIAN, KAREN T. V. UNITED STATES

01-7036 SMITH, DERRICK A. V. UNITED STATES

The petitions for writs of certiorari are denied.

01-324 WILKINSON, DIR., OH DOC V. FLAGNER, HBRANDON L.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

01-397 SCHOLASTIC CORP., ET AL. V. TRUNCELLITO, RICHARD, ET AL.

The motion of American Institute of Certified Public Accountants for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

01-6785 McDONALD, BUFFORD V. COCKRELL, DIR., TX DCJ

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

**MANDAMUS DENIED**

01-637 IN RE K. MING ROSCHKE

01-6777 IN RE PATRICIA A. KIDD

The petitions for writs of mandamus are denied.

**REHEARING DENIED**

01-5195 SAPP, JAMES L. V. MOORE, SEC., FL DOC

The petition for rehearing is denied.